



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Akio Itoh

Serial No.: 09/594,091

Filed: June 15, 2000

For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING
THE SAME

Group Art Unit: 2815

Examiner: M. Warren

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

September 17, 2001

Sir:

This is in response to the Office Action of August 23, 2001, requiring restriction between two alleged inventions under the provisions of 35 USC § 121.

In the Action, the examiner has made a restriction requirement between the inventions of Group I drawn to a semiconductor device (claims 1-12) and Group II drawn to a method of making a semiconductor device (claims 13-19).

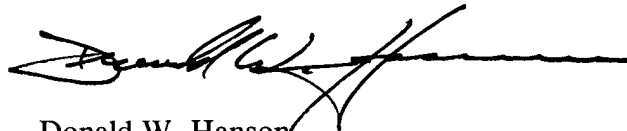
Applicants hereby provisionally elect Group I, that is, claims 1-12 for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

Favorable consideration of the subject application is respectfully requested.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELAND & NAUGHTON LLP

A handwritten signature in black ink, appearing to read 'Donald W. Hanson', written over a horizontal line.

Donald W. Hanson
Attorney for Applicants
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